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10 ONYX PHARMACEUTICALS, INC.

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ONYX PHARMACEUTICALS, INC.,

16 Plaintiff,

17 v.

18 BAYER CORPORATION, et al.,

19 Defendants.

Case No. CV 09 2145 MHP

**STIPULATION AND ~~PROPOSED~~
ORDER REVISING PRETRIAL
SCHEDULE RE SUMMARY
JUDGMENT MOTIONS**

IT IS HEREBY STIPULATED by and between plaintiff Onyx Pharmaceuticals, Inc. (“Onyx”) and defendants Bayer Corporation, Bayer AG, Bayer HealthCare LLC and Bayer Schering Pharma AG (collectively, “Bayer”) as follows:

1. WHEREAS, on November 16, 2010, the Court entered a Supplemental Case Management Order (Dkt. No. 60) that revised the case schedule and set June 14, 2011 as the trial date;

2. WHEREAS, the Supplemental Case Management Order (Dkt. No. 60) set the deadline to file motions on merits for March 14, 2011 and the deadline to hear motions on merits for April 18, 2011;

3. WHEREAS, Onyx’s counsel has a conflict with the current deadline to hear motions on merits, and the parties have conferred and agreed to the new proposed deadlines below relating to the summary judgment motion schedule;

4. WHEREAS, the new proposed deadlines comply with the Northern District of California Local Rule 7;

THEREFORE, the parties stipulate and jointly move the Court to adopt the following revised schedule pertaining to motions on the merits:

Event	Current Schedule	Revised Schedule
Deadline to file motions on merits	3/14/11	3/15/11
Deadline for responsive briefs on merits	3/28/11	3/30/11
Deadline for reply briefs on merits	4/04/11	4/07/11
Deadline to hear motions on merits	4/18/11	4/25/11

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1 IT IS SO STIPULATED.

2 Dated: February 1, 2011

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9 By: /s/ Lawrence R. Katzin
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BAYER CORPORATION,
BAYER AG,
BAYER HEALTHCARE LLC, and
BAYER SCHERING PHARMA AG

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11
12
13 Dated: February 1, 2011

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SUPPLEMENTAL CASE MANAGEMENT ORDER

This Stipulation and ~~Proposed~~ Order Revising Pretrial Schedule is hereby adopted by the Court as the Case Management Order for the case.

IT IS SO ORDERED

Dated: 2/2/2011



GENERAL ORDER 45 ATTESTATION

In accordance with General Order 45, concurrence in the filing of this document has been obtained from each of the signatories and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

/s/ Daniel J. Knauss

DANIEL J. KNAUSS

Attorney for Plaintiff

ONYX PHARMACEUTICALS, INC.